

United States District Court

FOR THE
NORTHERN DISTRICT OF CALIFORNIA
CRIMINAL DIVISION
VENUE: SAN FRANCISCO

FILED
22 APR -8 PM 2:57
RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

E-filing

UNITED STATES OF AMERICA,

v.

CHERYL HERNANDEZ CAMUS

DEFENDANT.

INDICTMENT

VIOLATIONS: 18 U.S.C. § 1341 - Mail Fraud; 18
U.S.C. § 1343 - Wire Fraud

A true bill.

Angie Hernandez
Foreman

Filed in open court this 24 day of
APRIL 2008
Henry Ho
Clerk

[Signature]
Bail, \$ SUMMONS FOR APRIL 22, 2008
[Signature]

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT
 BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT
☐ SUPERSEDING
OFFENSE CHARGED
 18 U.S.C. § 1341 - Mail Fraud; 18 U.S.C. §
 1343 - Wire Fraud

☐ Petty
☐ Minor
☐ Misdemeanor
☒ Felony
PENALTY:
 20 years in prison
 \$250,000 fine
 3 years supervised release
 \$100 special assessment
PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

FBI - Special Agent David Brown

☐ person is awaiting trial in another Federal or State Court, give name of court

☐ this person/proceeding is transferred from another district per (circle one) FRCrP 20, 21 or 40. Show District

☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of:

☐ U.S. Att'y ☐ Defense

☐ this prosecution relates to a pending case involving this same defendant

☐ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under
SHOW
DOCKET NO.MAGISTRATE
CASE NO.
 Name and Office of Person
 Furnishing Information on
 THIS FORM
JOSEPH P. RUSSONIELLO
☒ U.S. Att'y ☐ Other U.S. Agency

 Name of Asst. U.S. Att'y
 (if assigned)

CHRISTINA J. HUA

 Name of District Court, and/or Judge/Magistrate Location
 NORTHERN DISTRICT OF CALIFORNIA

DEFENDANT - U.S.

CHERYL HERNANDEZ CAMUS

DISTRICT COURT NUMBER

DEFENDANT**IS NOT IN CUSTODY**

- 1) ☒ Has not been arrested, pending outcome this proceeding. If not detained give date any prior summons was served on above charges
- 2) ☐ Is a Fugitive
- 3) ☐ Is on Bail or Release from (show District)

IS IN CUSTODY

- 4) ☐ On this charge
- 5) ☐ On another conviction
- 6) ☐ Awaiting trial on other charges

☐ Fed'l ☐ State

If answer to (6) is "Yes", show name of institution

 Has detainer
 been filed? ☐ Yes ☐ No

 If "Yes"
 give date
 filed

**DATE OF
 ARREST**

Month/Day/Year

Or... if Arresting Agency & Warrant were not

**DATE TRANSFERRED
 TO U.S. CUSTODY**

Month/Day/Year

☐ This report amends AO 257 previously submitted
ADDITIONAL INFORMATION OR COMMENTS**PROCESS:**
☒ SUMMONS ☐ NO PROCESS*

☐ WARRANT Bail Amount:

If Summons, complete following:

☐ Arraignment ☒ Initial Appearance

Defendant Address:

 1810 Chinquapin Court, Unit C
 Concord, CA 94519

*Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time: April 22, 2008

Before Judge: Chief Magistrate Judge James Larson

Comments:

1 JOSEPH P. RUSSONIELLO (CSBN 44332)
2 United States Attorney

3
4 E-filing

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MICHAEL WILFONG
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

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7
8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 SAN FRANCISCO DIVISION
11

12 UNITED STATES OF AMERICA,)

13 Plaintiff,)

14 v.)

15 CHERYL HERNANDEZ CAMUS,)

16 Defendant.)
17

No.

MHP

VIOLATIONS: 18 U.S.C. § 1341 –
Mail Fraud; 18 U.S.C. § 1343 – Wire
Fraud

SAN FRANCISCO VENUE

18 INDICTMENT
19

20 The Grand Jury charges:

21 INTRODUCTORY ALLEGATIONS

22 At all times relevant to this Indictment:

23 1. Defendant CHERYL HERNANDEZ CAMUS was in the mortgage lending
24 business. CAMUS also represented herself to be in the money lending business, whereby
25 she obtained money for borrowers from private investors/lenders.

26 2. CAMUS was a signatory to a bank account at US Bank, account number
27 xxxxxxxx6775, located in San Mateo, California.

28 3. CAMUS was a signatory to a bank account at San Mateo Credit Union,
account number xxx064, located in Redwood City, California.

1 4. The FEDWIRE system is an electronic funds transfer and book-entry
2 securities transfer service which links twelve Federal Reserve Banks to approximately
3 10,000 depository institutions nationwide. Every fund sent through the FEDWIRE
4 system automatically triggers an electronic signal wire communication to the Funds
5 Transfer Host Application located in East Rutherford, New Jersey for registration before
6 being transferred to its final destination.

7 SCHEME TO DEFRAUD

8 5. Beginning at a time unknown, but no later than July 8, 2003, and
9 continuing through on or about September 30, 2005, in the Northern District of California
10 and elsewhere, the defendant,

11 CHERYL HERNANDEZ CAMUS,
12 did knowingly and intentionally devise a material scheme and artifice to defraud
13 prospective investors/lenders, and to obtain money and property from prospective
14 investors/lenders by means of materially false and fraudulent pretenses, representations,
15 and promises, well knowing that the pretenses, representations, and promises were
16 materially false when made.

17 6. As part of the material scheme to defraud, and in order to obtain money,
18 CAMUS made one or more of the following material false representations and promises:

- 19 a. The investor's/lender's money would be used to help finance real estate
20 transactions, such as payment of closing costs or the down payment.
- 21 b. The investor's/lender's money would be used to pay for medical costs.
- 22 c. The investor/lender would receive a fixed monthly interest payment on the
23 investment.
- 24 d. The investor/lender would receive the return of the principle investment
25 amount within a fixed period of time.
- 26 e. The loans would involve "really no risk."
- 27 f. CAMUS screened the borrowers to ensure that money was only lent to
28 borrowers who had the ability to repay.

1 g. CAMUS had been conducting similar transactions for three years and the
2 returns had been "awesome."

3 h. CAMUS would personally guarantee the investment.

4 i. The investment would be secured by a legitimate deed of trust.

5 7. It was part of the scheme to defraud that, in fact, CAMUS did not use the
6 money for the purpose(s) she represented, but instead used the money to directly pay off
7 other people to whom she owed money, as well as to pay personal expenses.

8 USE OF THE WIRES AND MAILS

9 COUNTS ONE THROUGH FIVE: (18 U.S.C. § 1343 – Wire Fraud)

10 8. Paragraphs One through Seven are hereby re-alleged and incorporated by
11 reference as if set forth in full herein.

12 9. On or about the dates set forth below, in the Northern District of California
13 and elsewhere, for the purpose of executing and in furtherance of the material scheme and
14 artifice to defraud, and in attempting to do so, the defendant,

15 CHERYL HERNANDEZ CAMUS,
16 did knowingly transmit, and cause to be transmitted, the following wire communications
17 in interstate commerce:

18

Count	Approximate date of Wire	Origin of Wire	Destination of Wire	Description of Wire
1	10/3/03	West Covina, California	Redwood City, California	Transmission of \$33,000.00 via FEDWIRE from Western Federal Credit Union account # xx009 to San Mateo Credit Union account # xxx064, via registration wire to East Rutherford, New Jersey

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2	2/17/04	Fullerton, California	Redwood City, California	Transmission of \$15,000 via FEDWIRE from California North Retail Bank account # xxxxx31132 to San Mateo Credit Union account # xxx064 via registration wire to East Rutherford, New Jersey
3	7/28/04	New York, New York	San Mateo, California	Transmission of \$10,000 via FEDWIRE from Charles Schwab account # xxxx9956 to US Bank account # xxxxxxxx6775 via registration wire to East Rutherford, New Jersey.
4	10/22/04	Foster City, California	Las Vegas, Nevada	Transmission of \$30,000 via FEDWIRE from US Bank account # xxxxxxxx1945 to Washington Mutual Bank account # xxxxxx9125 via registration wire to East Rutherford, New Jersey
5	4/21/05	New York, New York	San Mateo, California	Transmission of \$25,000 via FEDWIRE from Citibank account # xxxxx5298 to US Bank account # xxxxxxxx6775 via registration wire to East Rutherford, New Jersey

All in violation of Title 18, United States Code, Section 1343.

COUNTS SIX AND SEVEN: (18 U.S.C. § 1341 – Mail Fraud)

10. Paragraphs One through Seven are hereby re-alleged and incorporated by reference as if set forth in full herein.

11. On or about the dates set forth below, in the Northern District of California and elsewhere, for the purpose of executing and in furtherance of the material scheme and artifice to defraud, and in attempting to do so, the defendant,

CHERYL HERNANDEZ CAMUS,

did knowingly deposit and cause to be deposited the items listed below to be sent and delivered by a commercial interstate carrier according to the directions thereon:

Count	Approx. Mailing Date	Mailing Origin	Mailing Destination	Description of Item(s) Mailed	Method of Mailing
6	7/7/03	San Fernando, CA	San Francisco, CA	\$5,000 check	Federal Express
7	5/19/05	Foster City, CA	Old Greenwich, CT	Deed of Trust with Assignment of Rents	United Parcel Service

All in violation of Title 18, United States Code, Section 1341.

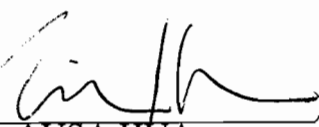
DATED:

A TRUE BILL.


FOREPERSON

JOSEPH P. RUSSONIELLO
United States Attorney


BRIAN J. STRETCH
Chief, Criminal Division

(Approved as to form: 
AUSA HUA